
**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
New Jersey Turnpike Authority)	File No. EB-11-PA-0271
Antenna Structure Registrant)	
ASR # 1062641)	NOV No. V201232400022
Dover, New Jersey)	
)	

NOTICE OF VIOLATION

Released: January 9, 2012

By the District Director, Philadelphia Office, Northeast Region, Enforcement Bureau:

1. This is a Notice of Violation ("Notice") issued pursuant to Section 1.89 of the Commission's rules¹ to the New Jersey Turnpike Authority ("NJTA"), registrant of antenna structure # 1062641 in Dover, New Jersey.

2. On December 1, 2011 at 12:48 p.m. and December 21, 2011 at 8:05 p.m., an agent of the Enforcement Bureau's Philadelphia Office inspected antenna structure # 1062641 located at mile post 84.1 along the Garden State Parkway at the coordinates 39-59-17.0 North Latitude 074-12-36.0 West Longitude and observed the following violation:

47 C.F.R. § 17.23: "Unless otherwise specified by the Commission, each new or altered antenna structure to be registered on or after January 1, 1996, must conform to the FAA's painting and lighting recommendations set forth on the structure's FAA determination of 'no hazard'" At the time of the inspection, antenna structure # 1062641 was painted for daytime marking and displayed a white medium intensity strobe light at the top-level for nighttime illumination. The antenna structure does not conform to the lighting requirements of the most recent Federal Aviation Administration Determination of No Hazard (FAA Study No. 1993-AEA-658-OE), which specifies high intensity white obstruction lighting 24 hours a day.²

¹ 47 C.F.R. § 1.89

² At the time of the inspection, the FCC Antenna Structure Registration ("ASR") specified that antenna structure # 1062641 must have painting, red obstruction lighting and white obstruction lighting in accordance with FAA Chapters 3, 4, 5, 6 8, and 13 of FAA Advisory Circular 70/7460-1H. However, these requirements do not correspond with the painting and lighting requirement specified in the most recent FAA Determination of No Hazard (FAA Study No. 1993-AEA-658-OE), which requires high intensity white obstruction lighting. To correct all discrepancies and violations, the NJTA must install high intensity white obstruction lighting on the antenna structure and modify the Antenna Structure Registration so that it corresponds with the lighting requirements specified in the most recent FAA Determination. Alternatively, the NJTA could submit a new FAA study application requesting permission to paint the tower and display white medium intensity lighting at nighttime. If

Federal Communications Commission

3. Pursuant to Section 403 of the Communications Act of 1934, as amended,³ and Section 1.89 of the Commission's rules, the NJTA must submit a written statement concerning this matter within 20 days of release of this Notice. The response must fully explain each violation, must contain a statement of the specific action(s) taken to correct each violation and preclude recurrence, and should include a time line for completion of pending corrective action(s). The response must be complete in itself and signed by a member of the NJTA. All replies and documentation sent in response to this Notice should be marked with the File No. and NOV No. specified above, and mailed to the following address:

Federal Communications Commission
Philadelphia Office
One Oxford Valley Building, Suite 404
2300 East Lincoln Highway
Langhorne, Pennsylvania 19047

4. This Notice shall be sent to the New Jersey Turnpike Authority at its address of record.

5. The Privacy Act of 1974⁴ requires that we advise you that the Commission will use all relevant material information before it, including any information disclosed in your reply, to determine what, if any, enforcement action is required to ensure compliance. Any false statement made knowingly and willfully in reply to this Notice is punishable by fine or imprisonment under Title 18 of the U.S. Code.⁵

FEDERAL COMMUNICATIONS COMMISSION

David C. Dombrowski
Acting District Director
Philadelphia District Office
Northeast Region
Enforcement Bureau

approved, the NJTA would then have to modify the FCC Antenna Structure Registration so that it corresponds with the new FAA Determination of No Hazard.

³ 47 U.S.C. § 403

⁴ P.L. 93-579, 5 U.S.C. § 552a(e)(3).

⁵ 18 U.S.C. § 1001 *et seq.*